IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 18TH JANUARY 2007 / 28TH PAUSHA 1928

Bail Appl..No. 232 of 2007()

CRIME NO. 219 OF 2006 OF KADAKKAL POLICE STATION

PETITIONER

SUNIL.P., S/O.PUSHPARAJAN,
SINDHU VILASOM, CHANNAPPETTA P.O.,
VANATHUM MUKKU, ANCHAL VILLAGE.

BY ADV. SRI.K.JAYAKUMAR
SRI.R.SURAJ KUMAR

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
KADAKKAL POLICE STATION, KADAKKAL.

BY PUBLIC PROSECUTOR SRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No.232 of 2007

DATED: 18th January, 2007

O R D E R

Petitioner seeks anticipatory bail on the allegation that the Kadakkal Police are after him in connection with Crime No. 219/06 of the said police station registered for offences punishable under Sections 143, 147, 148, 452, 308, 324, 427 read with Sec. 149 I.P.C. The occurrence took place on 2-5-2006.

2. The learned Public Prosecutor, on instructions, submitted that the petitioner has been arrayed as the 11th accused and that this was a case in which about 30 accused persons including the petitioner had trespassed into a colony and had unleashed vandalism in that locality and who were on a destroying spree.

2. Eventhough I am not inclined to grant anticipatory bail to the petitioner, I am inclined to permit the petitioner to surrender before the Investigating Officer and then have his regular bail application disposed of by the Magistrate concerned. Accordingly,

the petitioner shall surrender before the Investigating Officer on any day between 19-01-2007 and 23-01-2007 for the purpose of interrogation. Thereafter the petitioner shall be produced before the Magistrate who is having jurisdiction, on the same day. The Magistrate shall release the petitioner on bail on appropriate conditions, in case, an application for regular bail is filed before the Magistrate. This will be without prejudice to the right of the investigating officer to seek police custody of the petitioner if such a course is found necessary.

This petition is disposed of accordingly.

Sd/-V.RAMKUMAR, JUDGE

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/true copy/ P.A. to Judge.